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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,414	09/16/2003	Tseng-Tien Peng	SP3026-P-1584-AAK	9667

7590 08/15/2005
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EXAMINER

CARPIO, IVAN HERNAN

ART UNIT	PAPER NUMBER
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2841

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/662,414	Applicant(s) PENG, TSENG-TIEN	
	Examiner Ivan H. Carpio	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1- 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Pua (US Patent 6490163).

With respect to claim 1 Pua teaches a USB power amplified trumpet connecting device (Fig. 2) comprising a circuit board (Fig. 2, element 1) ; and a digital conversion chip (Fig.2, element 15) and a power amplifier chip (Fig. 2, element 19) being installed on the circuit board.

With respect to claim 2 Pua teaches a USB power amplified trumpet connecting device (Fig. 2) comprising a digital conversion chip (Fig. 2, element 15) and a power amplifier chip (Fig. 2, element 19) on a circuit board; an input connected to a USB port (Fig. 2, element 17) as an input; and an output (Fig. 2, element 18) for being connected to one of an earphone, a trumpet (Fig. 2, element 3) which is further connected to a trumpet.

With respect to claim 3 and with all the limitations of claim 2, Pua teaches wherein the output is an output seat (Fig. 2, element 18).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pua.

With respect to claim 5 and with all the limitations of claim 2, Pua teaches a USB power amplified device (Fig. 2) where the output of the device is connected to a trumpet (Fig. 2, element 18). Pua does not teach that the output is an output wire. It is well known in the art to use a wire and an output of an electrical device, in fact looking at a corded telephone one sees how well known it is. It would have been obvious to one of ordinary skill in the art at the time of the invention to use an output wire as an output because doing so allows for greater distance between the USB power amplified device and the trumpet making the installation and usage of the trumpet convenient and the placement of the trumpet adjustable.

Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pua in view of Miyauchi (US Patent 6823141).

With respect to claim 4 and with all the limitations of claim 3, Pua teaches a USB power amplified device (Fig. 2) with an output seat (Fig.2, element 18) connected to a trumpet (Fig.2, element 3). Pua does not teach that the output seat is an optical output seat; which is connected to an optical fiber terminal for further connecting to a decoding amplifier and then to a trumpet. Miyauchi teaches an optical output (Fig. 1 and 2, transmitter) connected to an optical fiber terminal (Fig. 1 and 2 transmission line) connected to a decoding amplifier (Fig.1 and 2, receiver; note the amplifier and the O/E converter). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the optical system taught by Miyauchi in the USB power amplified device taught by Pua because optical transmission system offer large transmission capacity and long span transmission capability (Miyauchi, column 1, lines 13-14).

With respect to claim 6 and with all the limitations of claim 2, Pua teaches a USB power amplified device (Fig.2) where the output (Fig.2, element 18) is connected to a trumpet (Fig.2, element 3). Pua does not teach that the output seat is able to output cable signals and optical fiber signals for being connected to a trumpet. Miyauchi teaches an output seat that is able to output cable signals and optical signals (Fig. 1 and 2, transmitter; note that the transmission line is an optical cable therefore transmits optical fiber and cable signals. It would have been obvious to one skilled in the art at the time of the invention to use the optical system taught by Miyauchi in the USB power amplified device taught by Pua because optical transmission system offer

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large transmission capacity and long span transmission capability (Miyauchi, column 1, lines 13-14).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US patents, 6921284 discloses a USB audio device, 5661583 and 4023887 both disclose optical transmission devices.

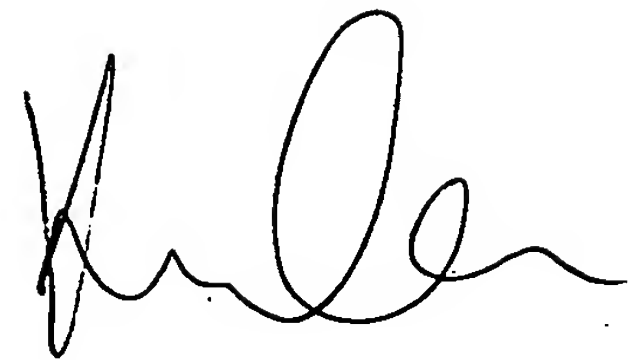
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ivan H. Carpio whose telephone number is 571-272-8396. The examiner can normally be reached on M-R 6:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kammie Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IC

A handwritten signature in black ink, appearing to read 'Kamand Cuneo', written in a cursive style.

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